

Ohio River Sub Basin Steering Committee

A partnership helping to protect and restore local waters and the Gulf of Mexico

January 4, 2008

US Environmental Protection Agency,
Docket ID No.EPA-HQ-OW-2007-1126,
EPA Docket Center (EPA/DC),
Water Docket, MC 2822T,
1200 Pennsylvania Avenue, NW
Washington, DC 20460

To Whom It May Concern,

The Ohio River Basin Steering Committee respectfully submits the comments below on the draft Action Plan associated with the efforts to mitigate the hypoxia impacts to the northern Gulf of Mexico.

The effort by USEPA staff to compile and coordinate the many comments and points of view, and the resulting work needed to produce and draft supportable documents is greatly appreciated.

Below are our comments on major areas of concern.

On page 18 of the Action Plan under **How do we do this?**, there is a significant discussion concerning the development of numeric water quality standards for nutrients, their need, what they are essential to, benefits, etc. Was this language agreed upon at the October 29-30 Task Force meeting as part of the text going out for public comment, or is this a new addition to the text? If new, can this section be reviewed at the January Coordinating Committee meetings?

Please consider more emphasis on monitoring in the watershed; we believe this point cannot be overemphasized. Funding of federal monitoring of the large rivers to accurately determine nutrient fluxes from major basins to the Gulf is essential. The SPARROW modeling to date relies little on empirical data except at a few stations on the larger rivers. Many of the model assumptions have not been calibrated/validated by state data from a more local watershed level. Where state programs are not adequate to come up with these data, funding must be found to support those efforts, too. One possible solution is to require monitoring as a small fraction of agricultural funding awards to demonstrate the effects of monies spent.

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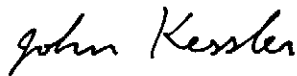
The document needs to include a substantial discussion on lag time and what it means to the time frame/effectiveness of nutrient reducing BMPs on Gulf Hypoxia.

Absent any key regulatory driver (e.g., water quality criteria for the Gulf or the Mississippi River) that can spur related CWA requirements on upstream states, we can't overemphasize the need for highlighting local improvement effects if the Task Force seeks to obtain voluntary buy-in from headwater states.

Also, please find attached a list of suggested text changes that we hope will help with the reading and context of the document.

If you have any questions or comments, please contact me at 614-265-6621 or Peter Tennant, Deputy Director for ORSANCO, at 513-231-7719.

Sincerely,



John Kessler
Chairman for the Ohio River Basin Steering Committee

cc. Steering Committee Members

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Suggested Text Changes

Page 5 –

Please include *water supplies* in the Quality of Life goal.

Please include a date in the reference to the "Science Advisory Board Hypoxia Panel Draft Advisory Report"

Now reads: "including a revision that takes into account the uncertainty of the task but attempts to maintain momentum and progress achieved to date. As such, at this time, the Task Force accepts the advice of EPA's Science"

Please consider changing to: but *commits* to maintain.....

Page 16-

Now reads: "In addition emerging issues, such bio-fuels, climate change, changes in agricultural practices and new technologies"

Change to: "In addition, emerging issues, such as biofuels,

Pages. 8, 9 and 10-

As a result of the dramatic inference of the reflected impact of the Ohio Basin both on N & P delivered loads to the Gulf (i.e. the largest % impact of all of the basins), it is all the more reason to include, wherever feasible, the emphasis on improvements to local water quality. We appreciate that the Task Force has accepted our earlier comments and reflected this in the title page but believe a few additional changes to the title page could be useful. For example,

a) particularly now that the state of Ohio has been included as a Task Force member, the title should read "Mississippi River *Basin*/Gulf of Mexico Nutrient Task Force", and

Also, suggest the Task Force (TF) include a date in their reference to the "Science Advisory Board Hypoxia Panel Draft Advisory Report"

b) change "Gulf Hypoxia Action Plan 2008" to "*Mississippi River Watershed*/Gulf Hypoxia Action Plan 2008 for improving water quality in the Mississippi River and its contributing basins and reducing , mitigating and controlling hypoxia in the northern Gulf of Mexico".

Page 17-

Consider adding a date for at least the completion of the targeted state strategies consistent with the operating plan?